

AN ORDINANCE **9 8 7 8 4**

ACCEPTING THE LOW, RESPONSIVE BID OF G G & G CONSTRUCTION IN THE BASE AMOUNT OF \$249,000.00, WITH BID ALTERNATES 3 AND 5, FOR A TOTAL CONTRACT AMOUNT OF \$258,050.00, IN CONNECTION WITH THE NANI FALCONE COMMUNITY PARK IMPROVEMENTS PROJECT, LOCATED IN COUNCIL DISTRICT 7; AUTHORIZING THE EXECUTION OF A STANDARD CONSTRUCTION CONTRACT; AUTHORIZING \$9,215.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$10,000.00 FOR ARCHITECTURAL SERVICES CONTINGENCY; TRANSFERRING FUNDS IN THE AMOUNT OF \$127,161.00 FROM LAND ACQUISITION EXPENSES TO CONSTRUCTION EXPENSES; APPROPRIATING \$143,700.29 IN 1994-1999 PARK BOND FUNDS AND ACCEPTING A \$6,403.71 DONATION FROM THE NORTHWEST NEIGHBORHOOD ALLIANCE, FOR A TOTAL PROJECT BUDGET OF \$277,265.00; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR THE DONATION OF ARTWORK FROM THE POMPEO COPPINI LODGE, ORDER SONS OF ITALY IN AMERICA, INC., THAT WILL BE PLACED IN THE PARK; AND PROVIDING FOR PAYMENT.

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**WHEREAS**, the 1994 General Bond Election approved \$500,000 for the acquisition of park property in City Council District 7; and

**WHEREAS**, Ordinance 84383, passed and approved by the City Council on July 11, 1996 and Ordinance 93270 passed and approved by the City Council on January 18, 2001 authorized the acquisition of property for French Creek Park and established a project budget; and

**WHEREAS**, in August 2002, the park was renamed Nani Falcone Community Park in honor of a local resident active in the park acquisition effort; and

**WHEREAS**, the community and City staff desire to develop the property into usable park space for the enjoyment of local residents, which is a permitted use of available funds, and Laffoon Associates designed the improvements and developed the construction bid documents; and

**WHEREAS**, The base bid capital improvements will include providing utilities to the site, a parking area, a park toilet enclosure, picnic tables, park signage, playgrounds for two age groups and an open playfield area. Alternates include limestone veneer added to the standard steel pavilion columns and approximately twelve boulders placed to enhance landscape and provide seating; and

**WHEREAS**, the Northwest Neighborhood Alliance established a memorial fund in honor of Mr. Falcone and has donated \$6,403.71 which shall be utilized for the project's pavilion construction; and

**WHEREAS**, the Pompeo Coppini Lodge, Order Sons of Italy in America, Inc., will donate a sculpture of Mr. Falcone that they have commissioned from an artist, which will be placed in an appropriate location in the park; and

**WHEREAS**, it is now necessary to accept the low qualified bid of G G & G General Construction for said work; to authorize a standard construction contract for said project; to amend the project's budget; and authorize payment; **NOW THEREFORE**:

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**Section 1.** The low qualified base bid of \$249,000.00 with bid alternates 3 and 5 for a total contract amount of \$258,050.00 from Charlie & Co. G G & G General Construction for capital improvements to the City's Nani Falcone Community Park Improvements Project is hereby accepted. The City Manager, or her designee is hereby authorized to execute a standard form public works construction contract for the job. A copy of the contractor's bid is affixed hereto and incorporated herein for all purposes as Attachment II. All other bids will be deemed rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of sixty (60) days from the effective date of this ordinance accepting the low bid, whichever event occurs first.

**Section 2.** The City Manager or her designee is authorized to execute a professional services agreement for the donation of artwork from the Pompeo Coppini Lodge, Order Sons of Italy in America, Inc., which will be placed in the park and become the property of the City of San Antonio.

**Section 3.** Fund 45-486005, French Creek Acquisition Project (Nani Falcone Community Park), has previously been designated to account for this project.

**Section 4.** The budget in fund 45-480095, 1994 Park Bonds – Sold in 2000, shall be revised by reducing index code 587964, entitled Unallocated Appropriations-Proceeds, by \$143,700.29.

**Section 5.** The amount of \$143,700.29 is appropriated in fund 45-480016, 1994 Park Bonds – Sold in 2000, in index code 933283, entitled transfer to 45-486005. The amount of \$143,700.29 is authorized to be transferred from fund 45-480016 to fund 45-486005.

**Section 6.** The budget in fund 45-486000, 1994 Park Bonds – Sold in 1996, shall be revised by increasing index code 108530, entitled Trf Fr 45-480016 (45-486005) Falcone, by the amount of \$143,700.29.

**Section 7.** Budgeted Revenues in the amount of \$6,403.71 is authorized to be established in fund 45-486000, 1994 Park Bonds – Sold in 1996. Revenue index code 071779, entitled

Donation-NW Neighborhood Alliance-Falcone Park (45-486005), shall be increased upon reimbursement of the project.

**Section 8.** The budget and encumbrance in fund 45-486005, 1994 Park Bonds – Sold in 1996, shall be revised by reducing index code 583716, entitled Land Acquisition, by the amount of \$112,300.00.

**Section 9.** The budget and encumbrance in fund 45-486005, 1994 Park Bonds – Sold in 1996, shall be revised by reducing index code 583708, entitled Appraisal/Environmental Study, by the amount of \$14,861.00.

**Section 10.** The amount of \$258,050.00 is appropriated in fund 45-486005, 1994 Park Bonds – Sold in 1996, in index code 734574, entitled Construction Contract, and is authorized to be encumbered and made payable to G G & G General Construction for construction in connection with the Nani Falcone Community Park Improvements Project.

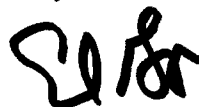
**Section 11.** The amount of \$9,215.00 is appropriated in fund 45-486005, 1994 Park Bonds – Sold in 1996, in index code 735019, entitled Construction Contingency, and is authorized to be encumbered and made payable for construction contingency expenses in connection with the Nani Falcone Community Park Improvements Project.

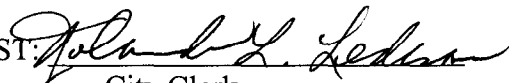
**Section 12.** The amount of \$10,000.00 is appropriated in fund 45-486005, 1994 Park Bonds – Sold in 1996, in index code 584037, entitled Architectural Contingency, and is authorized to be encumbered and made payable for architectural contingency expenses in connection with the Nani Falcone Community Park Improvements Project.


**Section 13.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**Section 14.** This ordinance shall become effective on February 15, 2004.

PASSED AND APPROVED this 5<sup>th</sup> day of February 2004.

  
M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney